

Serial No. 10/038,784

Docket No. TI-33671

REMARKS

Claims 34-47 are currently pending in the subject application, and are presently under consideration. Claim 43 is rejected. Claims 34-42 and 44-47 have been indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 34, 36, 37, and 39-44 have been amended. Favorable reconsideration of the application is requested in view of the amendments and comments herein.

I. Objection to Claims 34-47

Claims 34-47 are objected to because of various informalities. These informalities have been amended according to the Examiner's suggestions. Accordingly, withdrawal of the objection to claims 34-47 is respectfully requested.

II. Rejection of Claim 43 Under 35 U.S.C. §112, Second Paragraph

Claim 43 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claim 43 has been amended to recite receiving a first plurality of data packets from the transmitter in the receive packet buffer window of the receiver, receiving a second plurality of data packets from the transmitter in the receive packet buffer window of the receiver, and that the updating a lower limit and an upper limit are performed in response to the second plurality of data packets not including packets that were not received by the receiver in the first plurality of data packets. Claim 43 now satisfies 35 U.S.C. §112, second paragraph, as claim 43 particularly points out and distinctly claims the subject matter of the invention. Withdrawal to this rejection of claim 43 is

III. Rejection of Claim 43 Under 35 U.S.C. §102(e)

Claim 43 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,697,983 to Chintada, et al. ("Chintada"). Claim 43 has been amended. Withdrawal of this rejection is respectfully requested for at least the following reasons.

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Claim 43 has been amended to recite receiving a first plurality of data packets from the transmitter in the receive packet buffer window of the receiver, sending an acknowledgement to the transmitter acknowledging receipt of one or more of the first plurality of data packets, receiving a second plurality of data packets from the transmitter in the receive packet buffer window of the receiver, and that the updating a lower limit and an upper limit are performed in response to the second plurality of data packets not including packets that were not received by the receiver in the first plurality of data packets. As discussed in the Response to the Office Action dated February 7, 2006, filed February 28, 2006, Chintada teaches that the receiver does not update its window until every frame has been acknowledged. As such, Chintada does not teach, and thus does not anticipate, amended claim 43. Withdrawal of the rejection of claim 43 is respectfully requested.

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CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the present application is in condition for allowance. Applicant respectfully requests reconsideration of this application and that the application be passed to issue.

Please charge any deficiency or credit any overpayment in the fees for this amendment to our Deposit Account No. 20-0668.

Respectfully submitted,

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